

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Stephen Gyor AICP, Case Manager
Joel Lawson, Associate Director Development Review

DATE: April 23, 2013

SUBJECT: BZA Case 18544, 1550 Pennsylvania Avenue SE, request for variance and special exception relief to allow the construction of a five-story apartment building.

I. OFFICE OF PLANNING RECOMMENDATION

With regards to this proposal to construct a five-story residential building, the Office of Planning (OP) recommends **approval** of the following relief:¹

Area Variance (pursuant to § 3103.2):

- § 2101 Parking (41 spaces required, 30 spaces proposed);
- § 2115 Size of Parking Spaces (no compact spaces in a garage with less than 25 spaces permitted, 11 compact spaces proposed);
- § 2201 Loading (1 12x55 ft. berth required, 1 12x30 ft. berth proposed); and

Special Exception (pursuant to § 3104.1):

- § 411 Roof Structures (uniform height required, multiple heights proposed).

II. LOCATION AND SITE DESCRIPTION

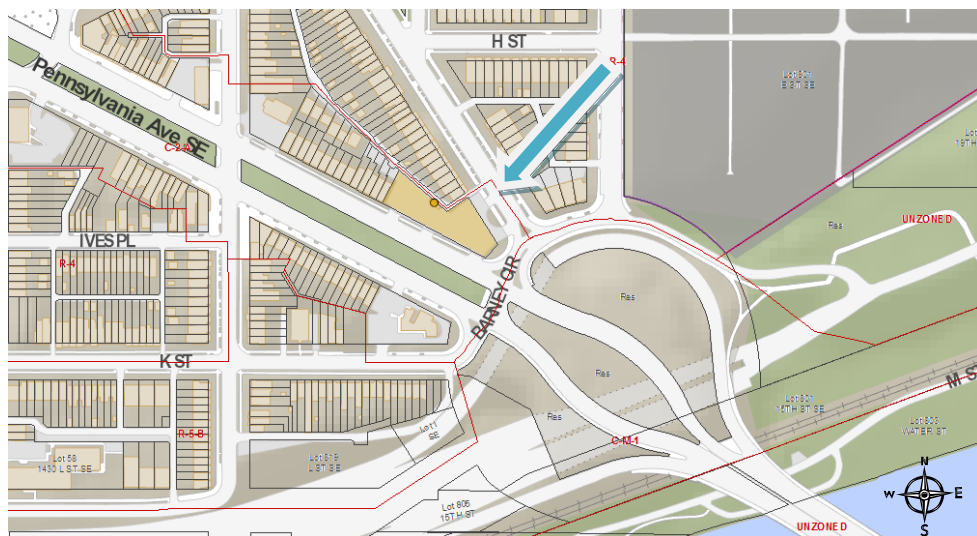
Address	1550 Pennsylvania Avenue SE
Legal Description	Square 1077, Lot 130
Ward	6
Lot Characteristics	The irregularly shaped subject property is bound by Pennsylvania Avenue SE to the south, rowhouses to the west, Kentucky Ave, SE to the north, and Barney Circle to the east. A 10 ft. wide public alley (Freedom Way) borders the property to the north.
Zoning	C-2-A
Existing Development	Used car dealership

¹ The Applicant has not requested relief from § 2117.8(a) Access, Maintenance and Operation, which requires that “driveways shall have a maximum grade of not more than twelve percent (12%) with a vertical transition at the property line.” The applicability of this provision to the subject property would be reviewed by the Zoning Administrator during the permitting process.

Adjacent Properties	Three story rowhouses are found adjacent to the property on Pennsylvania Avenue and 2.5 story rowhouses are located along Kentucky Avenue, SE, across the alley from the subject property. The subject property is located approximately two blocks from the Potomac Avenue Metro Station.
Surrounding Neighborhood Character	The neighborhood is characterized by rowhouses and low density residential and commercial buildings.

III. APPLICATION IN BRIEF

The Applicant proposes to construct a five-story residential building with 82 units. The project would also include 30 parking spaces (22 underground spaces and 8 other spaces adjacent to the public alley). To accommodate the proposed development, the Applicant has requested a variance from the required 41 parking spaces, size of parking spaces, and loading, as well as a special exception from roof structure requirements. The Applicant's revised proposal, dated April 14, 2013, would widen the alley into the Applicant's property, reduce the proposed number of parking spaces to 30, reduce the maximum number of residential units to 82, (thereby reducing the required number of required parking spaces to 41), and increase the number of compact spaces from 2 to 11.



Subject Property

IV. ZONING REQUIREMENTS and REQUESTED RELIEF

C-2-A Zone	Regulation	Existing	Proposed	Relief
Height § 400	50 ft. max.	NA	50 ft.	None required
Lot Width § 401	NA	252 ft.	252 ft.	None required
Lot Area § 401	NA	17,447 SF	17,447 SF.	None required
Floor Area Ratio § 402	3.0 max	NA	3.0	None required
Lot Occupancy § 403	75% max.	NA	72.6%	None required
Rear Yard § 404	15 ft. min.	NA	60 ft.	None required
Side Yard § 405	0 ft. min.	NA	0 ft.	None required
Roof Structures § 411.5	Uniform height	NA	Multiple heights	Relief required
Parking § 2101	41 spaces	NA	30 spaces	Relief required
Parking Spaces § 2115	0 compact parking in a garage with less than 25 spaces	NA	11 Compact parking spaces in a garage with less than 25 spaces	Relief required
Loading § 2201.1	1 @ 12' x 55'	NA	1 @ 12' x 30'	Relief required

V. OFFICE OF PLANNING ANALYSIS

The Property is irregularly shaped and sloped. Second, site access is consistent with the District Department of Transportation (DDOT) policy, which requires all vehicles to access the Property from an alley rather than curb cuts on Pennsylvania Avenue or Kentucky Avenue. Third, the Property is constrained by the narrow width of the alley. Together, these factors impact the site design and create a practical difficulty for the Applicant.

a. Variance Relief from § 2101, Off-Street Parking

i. Exceptional Situation Resulting in a Practical Difficulty

The site's sloping topography, combined with the requirement to access the garage ramp from the alley (the higher end of the site), results in a longer driveway ramp than would otherwise be necessary. Furthermore, the Applicant would be required to provide at least one additional level of below-grade parking to meet the minimum requirement of 41 spaces. A second level of below-grade parking would be inefficient because the necessary ramps would reduce the efficiency of the first and second levels. The irregular shape of the lot, combined with the location of the Building's core elements, precludes the Applicant from efficiently expanding underground parking into the eastern portion of the English Basement level.

ii. No Substantial Detriment to the Public Good

The Applicant worked with ANC6B, the surrounding community, and DDOT representatives to create a Transportation Demand Management (TDM) plan by analyzing the projected impact of the proposed development on neighborhood traffic and parking. These issues will be further addressed in the DDOT report. The Comprehensive Transportation Review (CTR), provided by the Applicant, indicates that the proposed project is expected to generate little additional parking demand.

iii. No Substantial Harm to the Zoning Regulations

The Property is served by public transportation, including the Potomac Avenue Metro Station, which is located two blocks away. In addition, 28 bicycle spaces would be provided. Alternative means of transportation such as bike, bus and Metrorail should mitigate the proposed reduction in parking spaces. The requested variance would not cause substantial harm to the Zoning Regulations.

b. Variance Relief from § 2115, Parking Spaces

i. Exceptional Situation Resulting in a Practical Difficulty

The Applicant is seeking relief from the requirements to provide compact parking spaces in a garage with less than 25 parking spaces. The small size of the site creates a practical difficulty relative to the required widths and lengths of ramps, aisles, and parking spaces, thereby reducing the area that would be normally devoted to standard 9' x 19' parking spaces. Given the size of the lot, the Applicant would encounter practical difficulties if required to comply with the minimum required parking space dimensions. Thus, in order to effectively meet the on-site parking needs of future residents, compact spaces would be provided for 11 of the 22 spaces proposed below grade.

ii. No Substantial Detriment to the Public Good

The proposed relief would not result in a substantial detriment to the public good. The inclusion of eleven compact spaces would allow for the increased efficiency of on-site parking and would help to alleviate the demand for parking in the neighborhood.

iii. No Substantial Harm to the Zoning Regulations

The proposed off-street parking spaces and their compact sizes would increase the efficiency of on-site parking and allow the development to provide on-site parking in a manner that would not negatively impact the use of adjacent properties. Thus, the proposed relief should not result in a substantial harm to the Zoning Regulations.

c. Variance Relief from § 2201, Loading Berths, Loading Platforms and Service Delivery Spaces

i. Exceptional Situation Resulting in a Practical Difficulty

The Project would include a 10' x 20' square foot loading platform, a 12' x 30' foot loading berth, and a 200 square foot service space. The Application states that given the proposed residential unit sizes, it is unlikely that residents will be utilizing trucks that require a 55 ft. loading berth, and that the 30 foot loading berth and the 20 foot delivery space would be able to satisfy the moving trucks/vans and delivery vehicles that would come to the property. In addition, the width of the alley (10 ft.) limits the size of vehicles that could access the alley. According to the Applicant, residents adjacent to the project expressed safety concerns regarding potential increased traffic on the alley, including the proposed truck access to the loading dock.

OP supports the Applicant's proposed redesign of the garage access and alley loading area, dated April 14, 2013, which would improve navigation for vehicles travelling eastbound near the loading area and would allow for more efficient trash removal. However, the proposed garage ramp would be partially located within public space and would require approval by the DDOT Public Space Committee.

ii. No Substantial Detriment to the Public Good

There would be no substantial detriment to the public good. The proposed TDM program indicates that tenant move-ins would be managed by property management staff to ensure smooth coordination. All residents would be required to notify the Loading Coordinator of move-in/move out dates. In addition, no truck idling would be permitted.

iii. No Substantial Harm to the Zoning Regulations

There would be no substantial harm to the Zoning Regulations. The proposed loading would serve the loading needs of the building.

b. Special Exception Relief pursuant to § 411, Equal Height of Roof Structures

i. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The Applicant is seeking special exception relief from § 411.5, which requires that enclosing walls from roof level shall be of equal height. The roof structures would vary in height between 13 feet and 18 feet 6 inches. The Application indicates that flexibility is necessary to accommodate the Project's mechanical equipment for the elevator overrun. The roof structure will step down on the northwest and southeast ends of the building towards the lower-scaled rowhouses across the alley and Kentucky Avenue.

The Zoning Regulations require the roof structures to be housed in one structure of a single height. This would increase the visibility of the roof structure, as it would be a significantly larger and taller structure than those that are proposed. The structures are sufficiently set back from the street frontages, reducing their visibility from the street level. Overall, the location and design of the rooftop structures should minimize their visual impact.

ii. Would the proposal appear to tend to affect adversely, the use of neighboring property?

The neighboring properties would not be adversely impacted because the proposed roof structure of varying height diminishes the impact on the amount of light and air compared to a matter of right roof structure.

VI. COMMUNITY COMMENTS

ANC 6B adopted a unanimous resolution in support of the Application at its regularly scheduled meeting of April 9, 2013.